

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY THIRD DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 5171 of 1996

Between:

S.M. Ahmed S/o Sri S.A. Razack,
M/s Chodavaram Co-operative Sugars Ltd., Govada - 531 023
Visakhapatnam District.

..... PETITIONER

AND

1 The Managing Director, Chodavaram Co-operative Sugars Ltd.,
Govada - 531 023, Visakhapatnam District.

2 The Special Commissioner / Director of Sugars, Govt. of A.P.
I Floor of Allwyn Show Room, M.J. Road, Post Box No. 215,

Hyderabad-500 001.

(WP against R2 dismissed for default as per court order, dated 04/04/2000)

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ of 'MANDAMUS' or any other appropriate Writ or order or direction directing the respondents to protect my career interests as Boiler Fireman with due promotion to next higher post with all consequential benefits.

Counsel for the Petitioner: MR.J.V.LAKSHMANA RAO

Counsel for the Respondents: MR.D.V.SITARAMAMURTHY

The Court made the following:

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ORDER:

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Heard both sides.

The petitioner herein who is working as a Boiler Fireman filed this writ petition, *inter alia*, seeking a Mandamus directing the respondents to protect his career interests as Boiler Fireman with due promotion to the next higher post with all consequential benefits.

Though several allegations have been made in the affidavit and also filing of earlier writ petition, there is no specific averment against the inaction on the part of the respondents in considering the case of the petitioner for promotion, if any, to which he is entitled to.

However, it is now represented by the learned counsel for the respondents that having regard to the order, dated 06-11-1995, already passed by this Court in W.P.No.21887 of 1995, and especially, the interim order dated 14-03-1996 passed in W.P.M.P.No.6362 of 1996 in the present writ petition, no grievance subsists.

In view of the facts and circumstances of the case, no orders are necessary in this writ petition and the same is liable to be dismissed.

The writ petition is accordingly dismissed. No costs.

(B. PRAKASH RAO, J)

Date: 23-11-2004

ghn

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To

1 The Managing Director, Chodavaram Co-operative Sugars Ltd.,
Govada - 531 023, Visakhapatnam District.

2 The Special Commissioner / Director of Sugars, Govt. of A.P.
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3. Two C.D. copies.